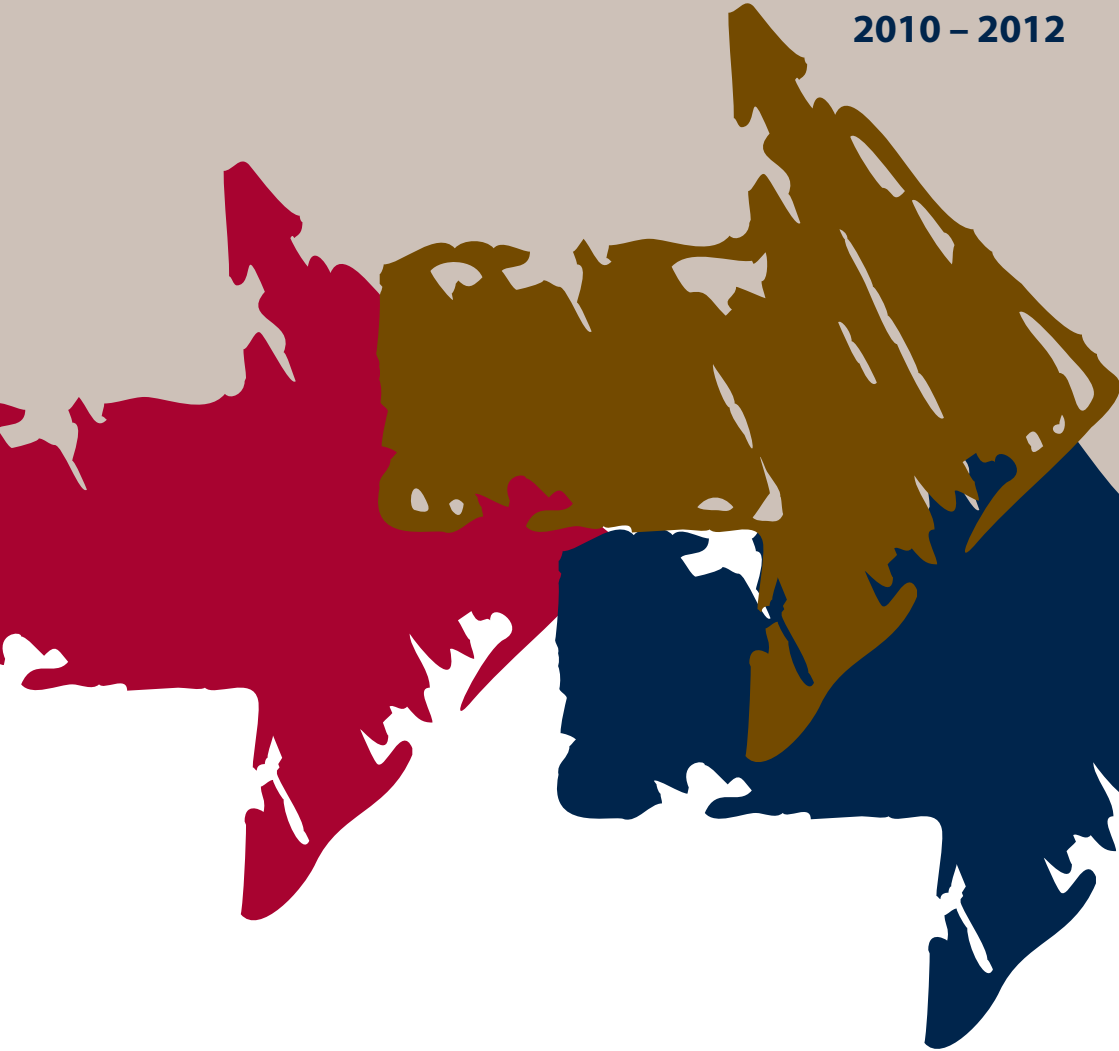


# Quality Service

## Action Plan

2010 – 2012



Oifig an  
Office of the



**Stúirthóra Ionchúiseamh Poibli**  
**Director of Public Prosecutions**





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## MISSION STATEMENT

To provide on behalf of the  
People of Ireland a prosecution  
service that is independent,  
fair and effective.

# 1. ROLE OF THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

1.1 The Office of the Director of Public Prosecutions was established by the Prosecution of Offences Act, 1974. The Director of Public Prosecutions is referred to as the DPP. The Office of the DPP has three main Divisions:

- Directing Division consists of barristers and solicitors who examine criminal investigation files and decide whether or not a prosecution should be taken.
- Solicitors Division consists of solicitors and legal executives who prepare and conduct cases on behalf of the DPP in all Courts sitting in Dublin.
- Administration Division provides the organisational, infrastructural, administrative and information services required by the Office and also provides support to both the Directing and Solicitors Divisions.

## 1.2 What do we do?

The Director independently enforces the criminal law in the courts, on behalf of the people of Ireland; directs and supervises public prosecutions on indictment in the courts; and gives general direction and advice to the Garda Síochána in relation to summary cases and specific direction in such cases where requested.

The DPP decides whether to charge people with criminal offences, and what the charges should be. Once charges are brought the Office of the DPP is in charge of the prosecution case.

The prosecutor must decide whether there is enough evidence which can be put before the Court. If there is not enough evidence to convince the court that the person is guilty a prosecution will not go ahead. The prosecutor has to remember that the judge or jury have to be convinced beyond a reasonable doubt that a person is guilty. It is not enough if they think the accused person probably committed the crime. Lack of evidence is the most common reason for decisions not to prosecute.

In a small number of cases, even though the evidence may be strong it may be decided not to prosecute for other reasons. For example:

- this may happen where the offender is a juvenile and the case is a suitable one to be dealt with under the Juvenile Diversion Programme; or
- where there is a long delay since the offence was committed; or
- where in the public interest it is better not to prosecute.



All criminal prosecutions on indictment are taken in the name of the Director. Most of the less serious crimes can be prosecuted by the Gardaí in the Director's name without sending a file to the Director's Office. When this happens the Director has the right to give the Gardaí instructions about how to deal with the case.

The Director prosecutes in all the more serious cases and sometimes in less serious cases. The more serious cases are heard before a jury in the Circuit or Central Criminal Court or before a panel of three judges in the Special Criminal Court.

### 1.3 Criminal cases are divided into two types – summary offences and indictable offences.

#### Summary offences

- are less serious cases;
- are heard by a judge without a jury in the District Court – the lowest court in Ireland;
- cases where the maximum prison sentence that an accused can get for one offence is never more than 12 months.

#### Indictable offences

- are more serious cases;
- are heard by a judge and jury in the Circuit Court or the Central Criminal Court;
- carry more serious penalties if the court convicts the accused – this can go up to life imprisonment for some crimes;
- can sometimes be dealt with in the Special Criminal Court by three judges without a jury.

1.4 The Chief Prosecution Solicitor acts as solicitor to the DPP and is head of the Solicitors Division in the DPP's Office. The staff of the Solicitors Division represent the Director in all courts in Dublin. Local state solicitors represent the DPP in courts outside of Dublin.

### 1.5 The DPP's Office does NOT:

- investigate crimes – crimes are investigated by the Garda Síochána and other specialised investigating agencies. When they finish investigating a serious crime they send a file to the Director who decides what charges to bring.
- give legal advice to members of the public. Those seeking such advice should consult with their own advisers.

## 2. OUR STAKEHOLDERS

### 2.1 External Stakeholders

Our Office has a wide range of stakeholders and we are committed to providing an optimum level of service to them in response to their individual needs. In order to provide services to the highest standards it is essential for the Office to establish and maintain strong working relationships with all our stakeholders.

The efficient operation of the Office depends to a significant extent on the way its staff interact with people and organisations involved in the criminal justice system. We will continue to build on the considerable progress that has been made in developing effective channels of communication with all of these groups. A detailed list of our stakeholders is available on page 7.

### 2.2 Internal Customers

The *Guidelines for Prosecutors* provides that a prosecutor has a duty to act honestly, fairly, impartially and objectively. The staff of the DPP's Office recognise the importance of applying this core principle in our dealings with each other.

The Office of the Director of Public Prosecutions will ensure that all its staff are treated with courtesy and respect. Our staff will be supported and consulted in relation to the delivery of a quality service to all our stakeholders.





## OUR STAKEHOLDERS

In providing a prosecution service on behalf of the People of Ireland the Office of the DPP interacts with various agencies, offices and individuals. Our main stakeholders are set out in the following chart:



### 3. PRINCIPLES OF QUALITY CUSTOMER SERVICE

In their dealings with the public, Civil Service Departments and Public Service Offices will apply the following principles of customer service:

#### Quality Service Standards

Publish a statement which outlines the nature and quality of service which customers can legitimately expect and display it prominently at the point of service delivery.

#### Equality/Diversity

Ensure the rights to equal treatment established by equality legislation, and accommodate diversity, so as to contribute to equality for the groups covered by the legislation (on the grounds of gender, marital status, family status, sexual orientation, religious belief, age, disability, race and membership of the Travelling Community).

Identify and work to eliminate barriers to access to services for people experiencing poverty and social exclusion, and for those facing geographic barriers to services.

#### Physical Access

Provide clean, accessible public offices which ensure privacy, comply with occupational and safety standards and facilitate access for people with disabilities and others with specific needs.

#### Information

Take a proactive approach in providing information that is clear, timely, accurate, is available at all points of contact, and meets the needs of people with disabilities. Ensure that the potential offered by Information Technology is fully availed of and that the information available on public service websites follows the guidelines on web publication.

Continue the drive for simplification of rules, regulations, forms, information leaflets and procedures.

#### Timeliness and Courtesy

Deliver services with courtesy and minimum delay, fostering a climate of mutual respect between provider and customer.

Give contact names in all communications to ensure ease of ongoing transactions.

#### Complaints

Maintain a well publicised, accessible, transparent and simple-to-use system of dealing with complaints about the quality of services provided.



## Appeals

Similarly, maintain a formalised, well-publicised, accessible, transparent and simple-to-use system of appeal/review for customers who are dissatisfied with decisions in relation to services.

## Consultation and Evaluation

Provide a structured approach to meaningful consultation with, and participation by, the customer in relation to the development, delivery, and review of services. Ensure meaningful evaluation of service delivery.

## Choice

Provide choice, where feasible, in service delivery including payment methods, location of contact points, opening hours and delivery times. Use available and emerging technologies to ensure maximum access and choice, and quality of delivery.

## Official Languages Equality

Provide services through Irish and/or bilingually and inform customers of their right to choose to be dealt with through one or other of the official languages.

Seirbhísí cáilíochta a sholáthar trí Ghaeilge agus/nó go dátheangach agus custaiméirí a chur ar an eolas faoina gceart an rogha a bheith acu go ndéileálfai leo trí cheann do na teangacha oifigiúla.

## Better Co-ordination

Foster a more co-ordinated and integrated approach to delivery of public services.

## Internal Customer

Ensure staff are recognised as internal customers and that they are properly supported and consulted with regard to service delivery issues.

## 4. COMMITMENTS TO THE DELIVERY OF A QUALITY SERVICE BY THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

### 4.1 Quality Service Standards

#### We will

- Provide a prosecution service that is independent, fair and effective
- Publish and make widely available a Quality Service Charter outlining the standards which can be expected from this Office
- Commit to delivering the actions outlined in this Action Plan and produce an evaluation for publication in our Annual Report
- Ensure that all matters referred to this Office relating to the decision whether or not to prosecute and the conduct of prosecutions, are given careful consideration
- Ensure that all matters referred to this Office are dealt with in an appropriate and confidential manner
- Adhere to the highest professional standards of service including those set out in the Guidelines for Prosecutors and Code of Ethics for Prosecutors; the Code of Conduct of the Bar of Ireland; Law Society of Ireland guidelines in relation to the professional conduct of solicitors; the International Association of Prosecutors standards of professional responsibility; and the standards set out in recommendation Rec 2000 (19) of the Committee of Ministers of the Council of Europe on the role of the public prosecution in the criminal justice system
- Provide training on quality service to our staff

### 4.2 Equality/Diversity

#### We will

- Observe the rights to equal treatment established by the Equal Status Act, 2000
- Ensure that the diverse needs of those to whom we provide a service are recognised
- Identify and develop staff training and support in the areas of equality and diversity
- Have in place a Human Resource Strategy that underpins a non-discriminatory approach and the importance of disability awareness
- Improve the quality and range of access channels using new and emerging information technology



### 4.3 Physical Access

#### We will

- Provide clean, accessible offices that ensure privacy and comply with health and safety standards
- Continuously strive to accommodate people with special needs
- Ensure access issues will be addressed in an effective and timely manner

### 4.4 Information

#### We will

- Provide easily accessible up-to-date information on the work of the Office through publication of information guides, annual reports, guidelines and other publications
- Make available information in relation to the general administration of the Office. (Information relating to individual criminal cases is exempt under the Freedom of Information Act, 1997 and therefore cannot be made available to the public.)
- Ensure all Office publications are available on our website at [www.dppireland.ie](http://www.dppireland.ie)
- Ensure that our website is regularly updated and information is easily accessible
- Publish all relevant information and reports in a timely manner
- Monitor technological developments with a view to using the most up-to-date methods for distribution of information
- Co-operate with other agencies in the criminal justice system to facilitate the sharing of knowledge and information
- Ensure that information is communicated in clear, easy to understand language
- Give clear & comprehensive instructions to our service providers

## 4.5 Timeliness and Courtesy

### We will

- Ensure that all telephone communications with the Office are dealt with in an efficient, timely and courteous manner
- Ensure that all files, enquiries and other matters referred to this Office are dealt with in a timely, polite and courteous manner
- Ensure our staff give their name and section when answering telephone queries
- Provide contact names, telephone numbers and reference numbers on written communications
- Acknowledge receipt of written communications
- Respond promptly to your correspondence. If it is not possible to deal with the matter promptly an interim reply will issue
- Deal with all those to whom we provide a service with courtesy and consideration
- Treat victims and witnesses with the utmost respect and sensitivity
- Work with the Garda Síochána to ensure that victims of crime are kept fully informed of developments in their case
- Facilitate a pre-trial meeting to explain the trial process at the request of a victim of a crime. However, evidence cannot be discussed with witnesses in advance of the court case

## 4.6 Complaints

### We will

- Have in place a transparent and simple-to-use complaints procedure
- Deal with complaints promptly
- Monitor complaints to ensure that future services are improved where necessary

If you have a complaint about how we work you can write to:

**Office of the Director of Public Prosecutions,  
Infirmery Road,  
Dublin 7.**



## 4.7 Appeals

### We will

- At the request of a victim or an accused person, or a member of their family, or their lawyer, doctor or social worker, consider a request to review a decision which has been taken by this Office
- Where appropriate apply to the Court of Criminal Appeal to review a sentence imposed in cases tried in the Circuit, Central Criminal or Special Criminal Court whenever such sentence is in law unduly lenient
- Consider and respond promptly to any request from a victim, a victim's family member, lawyer, doctor or social worker regarding the appeal of leniency of a sentence handed down by the Court

## 4.8 Consultation and Evaluation

### We will

- Consult with stakeholders on an ongoing basis in order to develop and enhance the services provided
- Contribute to the development of the prosecution service through participation on inter-agency and cross-functional working groups
- Carry out surveys and use feedback obtained to improve our services
- Continuously review and evaluate the delivery of our services to ensure that the highest standards are maintained
- Continue to consult with our staff through the partnership process and other internal working groups and networks

## 4.9 Choice

### We will

- Provide an outside office hours directing service for members of An Garda Síochána
- Provide a prosecution service in courts which sit outside normal court hours
- Commit to extending the choice available in relation to delivery of our services where possible
- Examine new technology in order to develop convenient alternative ways of interacting with us

#### 4.10 Official Languages Equality

**We will**

- Publish all Office publications bilingually
- Continue to maintain our website in the Irish and English language
- Assist you to conduct your business through the Irish language
- Fulfil our obligations under the Official Languages Act, 2003
- Promote the use of the Irish language through training programmes and other initiatives

#### 4.11 Better Co-Ordination

**We will**

- Continue the integration of the directing and Solicitors divisions of the Office in order to provide a more co-ordinated and efficient prosecution service
- Continue to co-operate and liaise with other agencies in the criminal justice system both at national and international levels
- Participate and contribute to relevant public sector networks
- Continue to deliver on our commitments to the Public Service Modernisation Programme
- Develop an integrated approach to delivery of our services through the Partnership process and internal working groups

#### 4.12 Internal Stakeholders

**We will**

- Recognise all our staff members as internal stakeholders
- Provide a supportive working environment for our staff
- Continue to consult with our staff through the Partnership process and other channels of communication
- Respond to the training and development needs of our staff
- Ensure that all new staff members receive comprehensive induction training
- Have in place knowledge management systems which provide staff with the information necessary to fulfil their role
- Develop and have in place a Communications Strategy which meets the needs of our staff
- Implement the commitments to our staff set out in our Human Resource Strategy





## CONTACT DETAILS

### **Office of the Director of Public Prosecutions**

Infirmery Road,  
Dublin 7

Tel: + 353 1 858 8500

Fax: + 353 1 642 7406

Web: [www.dppireland.ie](http://www.dppireland.ie)

### **Solicitors Division**

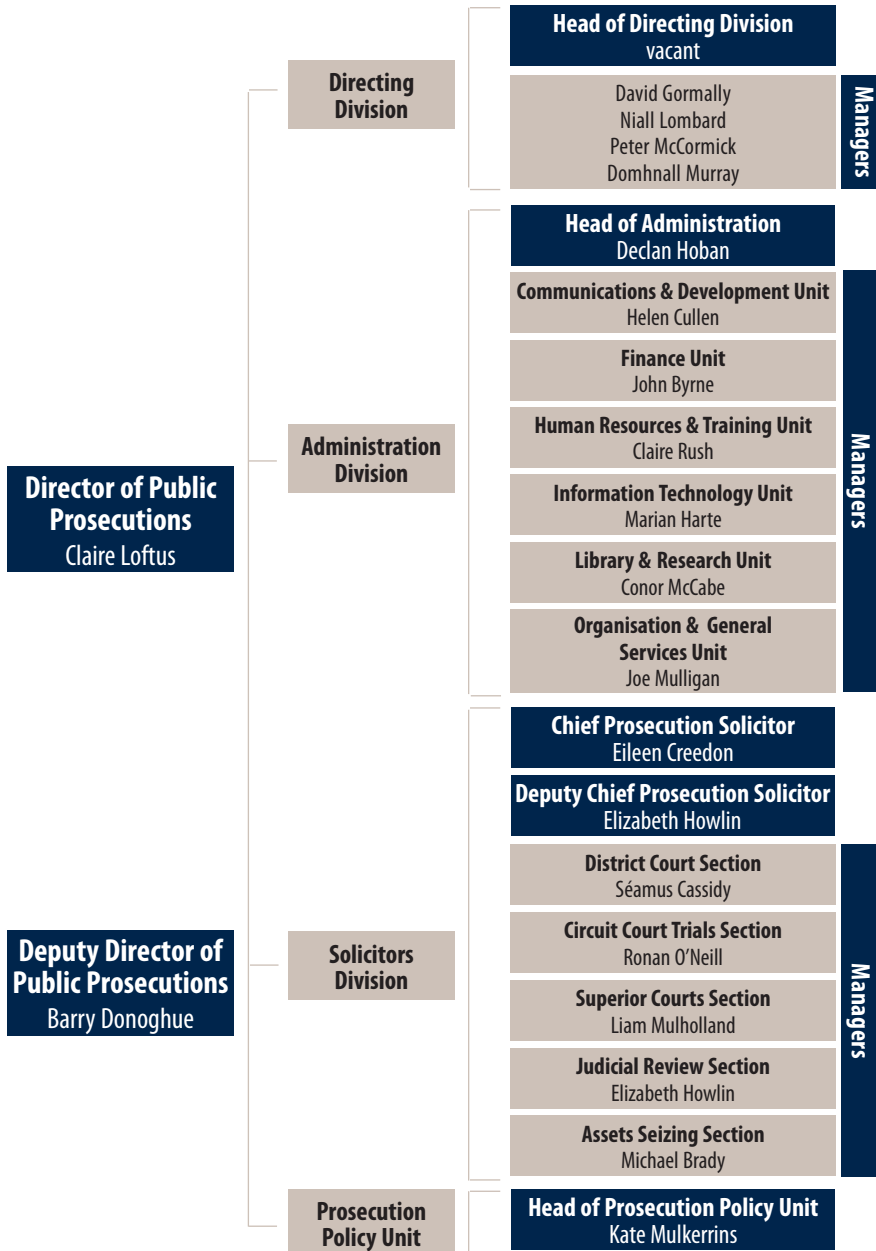
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## ORGANISATIONAL STRUCTURE (as of January 2012)





# OUTLINE OF THE CRIMINAL PROSECUTION PROCESS

